

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

NATERA, INC.,

Plaintiff,

v.

NEOGENOMICS LABORATORIES,  
INC.,

Defendant.

C.A. No. 1:23-cv-629

**PLAINTIFF NATERA’S MOTION FOR A PRELIMINARY INJUNCTION**

Plaintiff Natera, Inc. (“Natera”), by and through undersigned counsel, respectfully moves for a Preliminary Injunction Order to enjoin Defendant NeoGenomics Laboratories, Inc. (“NeoGenomics”) and its privies, subsidiaries, affiliates, officers, agents, servants, employees, attorneys, and those acting or attempting to act in concert with NeoGenomics, from:

1. Infringing any asserted claim of U.S. Patent No. 11,530,454 (“the ’454 Patent”) and U.S. Patent No. 11,519,035 (“the ’035 Patent”);
2. Making, using, importing, offering for sale, and/or selling (a) the accused RaDaR™ assay (“the Accused Assay”), or (b) any assay or product not more than colorably different from the Accused Assay whose manufacture, use, importation, offer for sale, or sale would infringe any asserted claim of the ’454 Patent or the ’035 Patent; and
3. Promoting, advertising, marketing, servicing, distributing, or supplying the above Accused Assay so as to induce others’ infringement.

Plaintiff respectfully requests that the Court grant this Motion for Preliminary Injunction Order for the reasons given in the accompanying Memorandum of Law. Pursuant to Local Rule 65.1(b), Natera respectfully requests leave to present oral argument in support of this Motion.

Natera's Motion for a Preliminary Injunction is supported by the contemporaneously filed (1) Declaration of Dr. Michael L. Metzker dated July 29, 2023; (2) Declaration of Anup Malani, Ph.D. dated July 31, 2023; and (3) Declaration of Solomon Moshkevich dated July 28, 2023. A Proposed Order is attached.

Respectfully submitted this 31st day of July, 2023.

By: /s/ Robert C. Van Arnam

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*\*Special Appearance under Local Civil Rule  
83.1(d)*

**CERTIFICATE OF SERVICE**

I hereby certify that I caused the foregoing document to be electronically filed with the Clerk of Court using the CM/ECF system, which will give notice of such filing to all attorneys currently of record in the above-captioned case.

Dated: July 31, 2023

By: /s/ Robert C. Van Arnam  
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